

# REQUEST FOR FILING A PATENT APPLICATION UNDER 35 CFR 1.53(b)

DOCKET NO.	ANTICIPATED CLASSIFICATION OF THIS APPLICATION	PRIOR APPLICATION EXAMINER	ART UNIT
	CLASS SUBCLASS		
TN-1074-C		W. Bray	3725

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Jc825 U.S. PTO  
09/760386  
01/12/01

This is a request for filing a XX continuation \_\_ divisional application under 37 CFR §1.53(b), of pending prior application number 09/357,500, filed July 20, 1999, which is a continuation of application number 09/207,355, filed on December 8, 1998, now U.S. Patent No. 4,988,243, which is a continuation-in-part of Application No. 08/899,937, filed July 24, 1997, now U.S. Patent No. 5,875,828. Application No. 09/207,355 also derives priority from Application No. 60/070,501, filed January 7, 1998, now abandoned.

XX Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 09/207,355, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

XX The filing fee is calculated below:

Fee	Number Filed	Number Extra	Rate	Fee
Basic Fee				\$710.00
Total Claims	- 19	= 0	X \$ 18.00	\$
Indep. Claims	- 1	= 0	X \$ 80.00	\$
Multiple Dep. (Claim(s) (if applicable)			+ \$260.00	\$
<b>TOTAL FEES</b>				<b>\$710.00</b>

2. \_\_\_ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.  
\_\_\_ was filed in prior application number \_\_\_/\_\_\_ and such status is still proper and desired (37 CFR 1.28(a)).
3. XX The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2548. A duplicate copy of this sheet is enclosed.
4. \_\_\_ A check in the amount of \$\_\_\_\_\_ is enclosed.
5. XX Cancel in this application original claims 1, 8-12, 16-17, 24 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. XX The inventor(s) of the invention being claimed in this application is (are):  
Adan Ayala, Ronald Quiram

The PTO did not receive the following  
listed item(s) 2 of 2 Pages  
of Transmittal

01/12/01  
Jc997 U.S. PTO

# REQUEST FOR FILING PATENT APPLICATION UNDER 37 CFR 1.53(b) (PAGE 2)

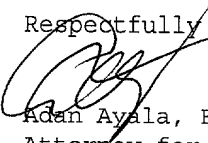
- This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.53(b)(1), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
8. XX Amend the specification by inserting -- 09/357,500, filed July 20, 1999, now pending, which is a continuation of application number -- after "This is a continuation of Application Serial No." at page 1, line 4.
9. — New formal drawings are enclosed.
10. — Priority of foreign application number \_\_\_\_\_ filed on \_\_\_\_\_, in \_\_\_\_\_ is claimed under 35 U.S.C. 119.  
— The certified copy has been filed in prior application number \_\_\_\_/\_\_\_\_\_,  
filed \_\_\_\_\_.
11. — A preliminary amendment is enclosed.
12. XX The prior application is assigned of record to Black & Decker Inc., at Reel 9907, Frame 0026 of the assignment records of the US PTO.
13. — Also enclosed:
- \_\_\_\_\_
- \_\_\_\_\_

14. XX The power of attorney in the prior application is to:

- a. XX The power of attorney appears in the original papers in the prior application.
- b. XX Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)

Adan Ayala, Esq.  
The Black & Decker Corporation  
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Towson, Maryland 21286  
(410) 716-2368

Respectfully submitted,

  
Adan Ayala, Esq.  
Attorney for Applicant  
Registration No. 38,373

January 5, 2001  
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— Inventor(s)  
— Assignee of complete interest  
XXX Attorney or agent of record  
— Filed under 37 CFR 1.34 (a)  
Registration number if action under 37 CFR 1.34(a) \_\_\_\_\_.

PTO/SB/13

"Express Mail" mailing label number EJ309881637US Date of Deposit January 12, 2001 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Helen Winkler  
(Printed name of person mailing paper or fee)  
TN1074B.con.doc

  
(Signature of person mailing paper or fee)